

REMARKS

In an official action dated December 24, 2009, the Examiner rejected the pending claims as obvious over Parks 1,774,662 in view of Jokela 5,456,581 and Salter 5,259,738. Applicants request that the Examiner reconsider the rejection of claims 1-10 and favorably consider newly presented claims 11-19.

Preliminarily, Applicant believes that newly presented Fig.2 addresses the objection that the Examiner has regarding the drawings. Newly presented Fig. 2 is supported by the application as originally filed so that no new matter is being introduced. Accordingly Applicant requests that the Examiner withdraw the objection to the drawings.

With regard to the prior art, Parker '662 teaches a commutator valve 55 that alternatively connects the working chamber to either of two manifolds. The Examiner recognizes that Parker does not teach or suggest a valve between the manifold and the working chamber. Nonetheless, the Examiner contends that Jokela teaches an electronically controlled valve in the inlet of the chamber, which can be combined with the structure of Parker to provide the structure recited in Applicant's claim 1.

However, none of the prior art cited by the Examiner teaches or suggests the combination recited in claim 1. Claim 1 recites a fluid commutator valve that

alternatively connects the working chamber to either of two manifolds. Additionally, claim 1 recites a valve in the flow path between each chamber and the commutator valve that is operable to selectively isolate the working chamber from the respective commutator valve. By selectively isolating the working chambers from the commutator valve the system can easily and efficiently control the output of the overall system.

Jokela does not teach or suggest a valve disposed between a commutator valve and a working chamber for isolating the working chamber from the commutator valve. Jokela does not incorporate a commutator valve. In fact, Jokela teaches a system that eliminates the commutator valve and replaces it with a complex system of passages and a series of electronically controlled check valves. Since the complex network of passages and check valves of Jokela are intended to replace the functionality of a commutator plate, there would be no motivation to use the valves to control the fluid flow to a commutator plate. Similarly, Salter utilizes a complicated valve to replace the functionality of the commutator valve. As such, Salter does not teach or suggest a valve disposed between a working chamber and a commutator valve for isolating the working chamber from the manifold.

In light of the foregoing, Applicant requests that the Examiner reconsider the rejection of claim 1 and dependent claims 2-10. Additionally, since the prior art does not teach or suggest the features of claim 11 and dependent claims 12-20, Applicant requests that the Examiner favorably consider newly presented claims 11-20.

Applicant believes that the application is in form for allowance. If the Examiner believes that any issues remain regarding the allowability of the application, the Examiner is encouraged to contact Applicant's undersigned attorney by telephone to resolve the remaining issues.

Respectfully submitted,

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